

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

AUGUSTINO PICCOLO
Debtor.

Hearing Date: September 6, 2018

Hearing time: 9:05 am

Case No.: 18-11547-cgm

Chapter 13

Judge: Cecelia G. Morris

OBJECTION TO CONFIRMATION

Courtney R Williams, Esq., an attorney duly admitted to practice before the United States Bankruptcy Court for the Southern District of New York, states the following under the penalty of perjury:

1. I am an attorney at law duly licensed to practice before this Court and an associate with the office of Gross Polowy, LLC, attorneys for Rushmore Loan Management Services LLC as servicing agent for MTGLQ Investors, LP ("Secured Creditor"), and as such, am fully familiar with the facts and circumstances of the present case.


2. Secured Creditor is the holder of a note secured by a mortgage on real property commonly known as 200 Chambers Street, New York, NY 10007 which property is owned by the Debtor.

3. The Debtor filed a Chapter 13 Plan on June 6, 2018 which does not list Secured Creditor at all.

4. Secured Creditor will file a Proof of Claim listing approximately \$28,230.53 in pre-petition arrears.

5. As the Debtor's proposed plan fails to provide for full payment of the arrears listed in the Proof of Claim to be filed by Secured Creditor confirmation of the Plan must be denied pursuant to 11 U.S.C. §1325.

WHEREFORE, it is respectfully requested that this Court deny confirmation of the Debtor's proposed plan, and for such other and further relief as to this Court deems just and equitable.


Courtney R Williams, Esq.